

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                    )  
  )  
                  v.                               )  
  )  
MICHAEL PINA                                   )  
  )

JOINT MEMORANDUM  
PURSUANT TO LOCAL RULE 116.5(A)

Pursuant to Local Rule 116.5(A), the United States and Defendant Michael Pina (collectively, the "parties") state as follows:

(1) The parties do not seek relief from the applicable timing requirements imposed by L.R. 116.3.

(2) The government anticipate that it will call one or more experts should the case go to trial and the defendant requests discovery concerning expert witnesses. The parties propose that the government be required to disclose such discovery 30 days prior to trial, and that the defendant be required to provide reciprocal discovery 14 days prior to trial.

(3) The government anticipates providing additional discovery.

(4) The defendant is unsure but believes it is probable he will file one or more dispositive motions, and therefore requests that a motion date for filing such pretrial motions be established under Fed. R. Crim. P. 12(c).

(5) The parties propose that the Court enter an order excluding the 28-day time period following the defendant's

arraignment, as well as the time period from the initial to the next status conference.

(6) At present, the parties are unsure whether the case will go to trial, but estimate a trial would last approximately four to five days.

(7) The parties propose that the Court convene an interim status conference in mid to late October, 2004.

MICHAEL PINA  
By His Attorney

MICHAEL J. SULLIVAN  
United States Attorney

By:

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